

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

UNITED STATES OF AMERICA

v.

BRYAN CRAIG CHILDS (01)

NO. 2:17-CR-054-D (01)

FACTUAL RESUME

In support of Bryan Craig Childs's plea of guilty to the offense in Count One of the Indictment, Childs, the defendant, David Christopher Hesse, the defendant's attorney, and the United States of America (the government) stipulate and agree to the following:

ELEMENTS OF THE OFFENSE

To prove the offense alleged in Count One of the Indictment, charging a violation of 18 U.S.C. § 1038(a)(1), that is, False Information and Hoaxes, the government must prove each of the following elements beyond a reasonable doubt:¹

First. That the defendant intentionally conveyed false or misleading information under circumstances in which such information may reasonably have been believed; and

Second. That such information indicated that an activity had taken, was taking, or would take place that would constitute a violation of Title 18, United States Code, Chapter 40.

STIPULATED FACTS

1. On or about April 26, 2017, in the Amarillo Division of the Northern District of Texas, Bryan Craig Childs, defendant, aided and abetted by others known and

¹ 18 U.S.C. § 1038(a)(1) and United States v. Castagana, 604 F. 3d 1160 (9th Cir. 2010).

unknown to the grand jury, did intentionally convey false and misleading information, that is, that there was a bomb at the J. Marvin Jones Federal Building and United States Courthouse, under circumstances where such information may reasonably have been believed, that indicated that an activity had taken, was taking, and would have taken place, specifically, that a bomb had been placed at the J. Marvin Jones Federal Building and United States Courthouse, that would constitute a violation of Title 18, United States Code, Chapter 40, that is, damaging and destroying United States property by means of fire and explosive, in violation of Title 18, United States Code, Section 1038(a)(1).

2. On April 26, 2017, at approximately 8:16 a.m., the City of Amarillo received a telephone call from a female caller, who stated that "there is a bomb in the Federal Building." The call was made from a payphone at a Toot N Totum convenience store located at 3609 S. Washington, Amarillo, Texas.

3. The JM Jones Federal Building in Amarillo, Texas, was evacuated. Amarillo Police Department Bomb Squad searched the building. No bomb or other explosive devices were located inside the building.

4. FBI Agent Scott Hendricks responded to the Toot N Totum and reviewed the store's video surveillance. The video showed a white Chevrolet pickup truck pull up near the payphone area in front of the store. Bryan Craig Childs exited the truck and entered the store. Childs spoke on his cell phone and texted while he was in the store. Childs left the store and returned to the pickup. A female met Childs in front of the pickup. They both walked to the payphone area, which was not captured by surveillance.

Moments after the bomb threat was called into the City of Amarillo, Childs and the female left the Toot N Totum in the pickup.

5. At approximately 9:12 a.m., Agent Hendricks responded to the LaQuinta Hotel in Amarillo and made contact with Samantha Jean Marston. Marston told Agent Hendrix that a man named Bryan made her call in a bomb threat. Marston said that Bryan and a female named Michaela picked her up after Marston had an altercation at a RV park. Marston stated that Childs threatened physical harm to Marston if she did not call in the bomb threat.

6. On April 27, 2017, APD Officers made contact with Childs at a hotel in Amarillo, Texas. Childs was observed walking towards the same Chevy pickup that was seen on the surveillance camera video at the Toot N Totum on April 26, 2017. Childs was arrested by APD Officers.

7. Michaela Celey was with Childs at the time of his arrest. Celey was interviewed by Agent Hendrix. Celey admitted that she was with Childs when they took Samantha (Marston) to the Toot N Totum on April 26, 2017. She heard Childs tell Marston that she (Marston) was going to make a bomb threat. Celey was also with Childs on April 25, 2017. She admitted that the two were at “Raven’s” house. She identified Michelle Weaver as the person she knew as “Raven.” Celey heard Weaver comment that she was “going back to jail” because of a failed drug test. She also heard Weaver comment that she “better have as much fun as she could.” Celey stated that Weaver and Childs had a private conversation during the evening that Celey did not overhear.

8. Michelle Weaver had pending felony charges in the United States District Court, Amarillo Division, in cause number 2:17-CR-27, and she was awaiting trial in that case. Weaver had a scheduled court appearance on April 26, 2017 at 9:30 a.m. The purpose of that hearing was to determine whether Weaver would be allowed to continue on pretrial release or would be incarcerated for violations of her conditions of pretrial release. Weaver failed a drug test while on pretrial release. Weaver signed an admission form on April 25, 2017, admitting that she had used methamphetamine on April 23, 2017.

9. Weaver failed to appear for the April 26, 2017 hearing, and a warrant was issued for her arrest. Deputy U.S. Marshal Clay made contact with Weaver's mother, Glenda Pemberton. Pemberton confirmed that Childs was with Weaver on the evening of April 25, 2017.

10. Ashley Crouch was also in the truck driven by Childs on April 26, 2017. Crouch was interviewed by Agent Hendricks. Crouch stated that Childs owed Weaver approximately \$2000. She stated that Childs forced Martson to call and make the bomb threat so Weaver would not have to go to court.

11. Childs admits that he, aided and abetted by Marston, intentionally conveyed false or misleading information under circumstances in which such information may reasonably have been believed. That is, Childs had Marston convey false information that a bomb had been placed at the J. Marvin Jones Federal Building and United States Courthouse. Childs admits that such information indicated that an activity had taken, was taking, or would take place, that would constitute a violation of Title 18, United States Code, Chapter 40. That is, this information indicated that an activity had

taken, was taking, or would take place, that would constitute a violation of Title 18, United States Code, Section 844(f)(1) – Maliciously Damaging or Destroying Federal Property by Means of Fire or Explosive.

12. The defendant agrees that the defendant committed all the essential elements of the offense. This factual resume is not intended to be a complete accounting of all the facts and events related to the offense charged in this case. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support the defendant's guilty plea to Count One of the Indictment.

AGREED TO AND STIPULATED on this 28th day of August, 2017.

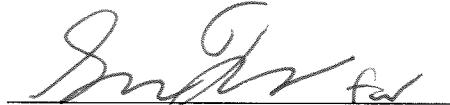


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